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*Jack Dorsey and Ned Segal*

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

IN RE TWITTER, INC. SECURITIES  
 LITIGATION

This Document Relates To:

ALL ACTIONS

Case No.: 4:19-cv-07149-YGR

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS' REQUEST FOR JUDICIAL  
 NOTICE IN SUPPORT OF ITS MOTION TO  
 DISMISS THE CONSOLIDATED CLASS  
 ACTION COMPLAINT**

Date: October 13, 2020  
 Time: 2:00 p.m.  
 Courtroom: 1  
 Hon: Yvonne Gonzalez Rogers

**[PROPOSED] ORDER**

Defendants Twitter Inc. (“Twitter”), Jack Dorsey and Ned Segal (collectively “Defendants”) have requested that the following exhibits be deemed incorporated by reference in the Consolidated Class Action Complaint (“Complaint”), or, in the alternative, be subject to judicial notice:

Exhibit 1: The Annual Report on Form 10-K of Twitter, Inc. for the period ended December 31, 2018, as filed with the Securities and Exchange Commission (“SEC”) on February 21, 2019;

Exhibit 2: A screenshot of a Tweet entitled “Twitter Support on Twitter,” available at <https://twitter.com/TwitterSupport/status/1158876245716697089> (last accessed June 10, 2020);

Exhibit 3: A webpage entitled “An issue with your settings choices related to ads on Twitter,” available at <https://help.twitter.com/en/ads-settings> (last accessed June 3, 2020);

Exhibit 4: The Quarterly Report on Form 10-Q of Twitter, Inc. for the period ended September 30, 2019, as filed with the SEC on October 29, 2019;

Exhibit 5: The Q2 2019 Shareholder Letter of Twitter, Inc., Exhibit 99.1 to the Form 8-K, filed with the SEC on July 26, 2019;

Exhibit 6: The Quarterly Report on Form 10-Q of Twitter, Inc. for the period ended June 30, 2019, as filed with the SEC on July 31, 2019;

Exhibit 7: Twitter, Inc.’s Question and Answer Presentation at the Citi Global Technology Conference 2019, dated September 4, 2019, available for download from [https://s22.q4cdn.com/826641620/files/doc\\_downloads/2019/Citi-2019-Transcript.pdf](https://s22.q4cdn.com/826641620/files/doc_downloads/2019/Citi-2019-Transcript.pdf) (downloaded on June 3, 2020);

Exhibit 8: The Responses and Objections to KBC Asset Management NV’s Fifth Set of Interrogatories to Defendant Twitter, Inc., filed as Exhibit 20 to Plaintiffs’ Opposition to Defendants’ Motion for Summary Judgment, *In re Twitter, Inc. Securities Litigation*, Case No. 4:16-CV-05314-JST(SK) (N.D. Cal. filed Sept. 16, 2016) (Dkt. No. 413-6);

Exhibit 9: The Declaration of Michael Nierenberg, filed as Exhibit 1 to Defendants’ Administrative Motion to File Under Seal Defendants’ Motion for Summary Judgment, *In re*

1 *Twitter, Inc. Securities Litigation*, Case No. 4:16-CV-05314-JST(SK) (N.D. Cal. filed Sept. 16,  
2 2016) (Dkt. No. 340);

3 Exhibit 10: The Statement of Changes of Beneficial Ownership of Securities on Form 4  
4 of Twitter, Inc. on behalf of Ned D. Segal, as filed with the SEC on August 14, 2019;

5 Exhibit 11: The Statement of Changes of Beneficial Ownership of Securities on Form 4  
6 of Twitter, Inc. on behalf of Ned D. Segal, as filed with the SEC on September 3, 2019;

7 Exhibit 12: The Statement of Changes of Beneficial Ownership of Securities on Form 4  
8 of Twitter, Inc. on behalf of Ned D. Segal, as filed with the SEC on September 12, 2019; and

9 Exhibit 13: The Statement of Changes of Beneficial Ownership of Securities on Form 4  
10 of Twitter, Inc. on behalf of Ned D. Segal, as filed with the SEC on October 9, 2019.

11 These documents are properly considered by the Court on Twitter's Motion to Dismiss  
12 because (1) they are incorporated by reference into the Complaint, and (2) the facts contained  
13 therein are subject to judicial notice under Federal Rule of Evidence 201.

14 The Court, having considered Defendants' request, and good cause appearing therefrom,  
15 hereby concludes that that: (1) Exhibits 1-9 to the Engel Declaration are incorporated by  
16 reference into the Complaint, and (2) Exhibits 1-13 are properly subject to judicial notice.

17  
18 **IT IS SO ORDERED.**

19  
20 Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Honorable Yvonne Gonzalez Rogers  
United States District Judge